IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 26 OF 2007.

D.M.Bagade. ... Petitioner.

Versus.

Union of India and others. ... Respondents.

Shri Chetan Akerkar for the Petitioner.

Shri J.C.Satpute for the Respondent No.1.

Shri V.S.Masurkar for the Respondent No.2.

CORAM : ABHAY S.OKA, J.

DATED : 15th June, 2007.

P.C.:

1. Heard the learned Advocates appearing for the parties. The breach alleged in this contempt petition is of the order dated 14th November 2006 by which the Division Bench of this Court granted interim order in terms of prayer clause (d) of Writ Petition No.7183 of 2006.

2. An affidavit-in-reply has been filed on behalf of the 2nd and 4th Respondents by Shri A.K.Jha, Enquiry Officer. In the said affidavit he has stated that the disciplinary proceedings conducted after 14th December 2006 have been cancelled and no action will be taken till further orders. Shri Jha has tendered an unconditional apology for delay in implementation of the order. There is also an affidavit of Shri A.K.Saxena, on behalf of the third Respondent in which he has also tendered an apology.

3. In view of the apology tendered by the concerned Respondents and in view of the cancellation of the proceedings conducted after 14th November 2006, it is not necessary to take any further action against the Respondents under the Contempt of Court Act, 1971. Accordingly the notice issued to the Contemnors is discharged. Contempt petition is disposed of.

Judge.